

**UNITED STATES BANKRUPTCY COURT**  
EASTERN DISTRICT OF MISSOURI  
THOMAS F. EAGLETON U.S. COURTHOUSE  
111 SOUTH TENTH STREET - SEVENTH FLOOR SOUTH  
ST. LOUIS, MISSOURI 63102  
[www.moeb.uscourts.gov](http://www.moeb.uscourts.gov)

**JAMES J. BARTA**  
CHIEF JUDGE

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CM/ECF  
November 23, 2004

Dear CM/ECF User, Registrant, Participant, or Licensee:

This communication contains information about the CM/ECF system. Although this information is posted on the Court's website ([www.moeb.uscourts.gov](http://www.moeb.uscourts.gov)), I will continue to periodically distribute this digest of the information that may have immediate value for your practice.

**INCONSISTENCIES.** The Court Record in the CM/ECF system is made up of several elements. Two of the most easily identifiable elements of the public record can be described as the PDF or document element, and the Event element. The PDF is the petition, schedule, pleading or other document that is actually filed with the Court. The Event element is docket information that is entered and submitted by the Registered User when a PDF is filed.

Many problems are created when the PDF and the Event elements are inconsistent. For example, a user may file a Chapter 7 petition, schedules and statement of affairs on behalf of John Doe. However, the Event chosen (specifically, in this example, Debtor Information) reflects that the case was commenced on behalf of Jane Smith. Under 11 U.S.C. §301, a Bankruptcy case is commenced by filing a petition. Therefore, in this example, a Chapter 7 case has been commenced on behalf of John Doe, the person identified on the PDF. As part of the Court's internal review, the inconsistency between the filed PDF and the Event is identified by the Quality Assurance (QA) personnel, usually within 24 hours after filing. In these situations, the Clerk's Office has been directed by the Board of Judges to correct the Debtor Information Event so that the record reflects that an Order For Relief has been entered, and an electronic file has been created for a Chapter 7 Bankruptcy case on behalf of John Doe, the Debtor named on the PDF. Unless a different petition is or was filed, the Court Record will not reflect a pending Bankruptcy case on behalf of Jane Smith (the name submitted in the Event).

Additional problems are created as a result of inconsistencies between the PDF and the Event. A filing fee is charged against a Filer's account based on the Event chosen. If the Event chosen does not match the PDF, the fee amount charged will be wrong, as the fee amount is automatically triggered by the Event chosen, not the PDF. If the amount actually charged is less than the amount required for the action reflected on the PDF, the Clerk will notify the Filer of the obligation to pay the additional amount in a timely manner. If the amount actually charged was more than the amount required, the difference will not be automatically refunded. The Filer must submit a request before the Clerk can distribute an overpayment.

As of December 1, 2004, the Court's procedure shall be that inconsistencies between the PDF and the Event chosen by the Filer will be resolved by the Clerk; Deputy Clerks will immediately change the Event to reflect the information on the PDF. In other words, the PDF will control. This is not unlike the procedure that was used prior to the Court's adoption of electronic filing. The filed paper document was the basis for court action.

Under this procedure, the Clerk's Office will notify the Filer electronically of any Event corrections made by the Clerk. If the Clerk's correction does not accurately reflect the Filer's intentions, the Filer must take immediate action such as filing amended documents, filing a motion to dismiss or other appropriate request. The forms and established procedures set out in the Local Bankruptcy Rules, the Rules Procedure Manual, and the CM/ECF Procedures Manual govern these actions.

**AMENDMENTS.** The CM/ECF Administrative Procedures will be amended effective December 1, 2004, to reflect a change to the procedure for submitting the Social Security Verification Form (B21 Form). The amended Administrative Procedures are located on the Court's website at [www.moeb.uscourts.gov/cmecf/pdfs/admin\\_proc112004.pdf](http://www.moeb.uscourts.gov/cmecf/pdfs/admin_proc112004.pdf). Instructions on the changed procedures can be found as Appendix A-8 to these Procedures and can also be located on the Court's website at [www.moeb.uscourts.gov/cmecf/pdfs/b21\\_instruct.pdf](http://www.moeb.uscourts.gov/cmecf/pdfs/b21_instruct.pdf).